

AMENDED IN ASSEMBLY JUNE 2, 2003
AMENDED IN ASSEMBLY APRIL 24, 2003
AMENDED IN ASSEMBLY APRIL 10, 2003
AMENDED IN ASSEMBLY MARCH 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1472

Introduced by Assembly Member Goldberg

February 21, 2003

An act to amend Section 12283 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1472, as amended, Goldberg. Public schools and election days.

Under existing law, if local elections officials so request, the governing boards of public schools must allow schools to be used for polling places on election days.

This bill would ~~require~~ *authorize* governing boards to exercise the options, in response to such a request, of: (1) keeping schools used for polling places in session but identifying to the elections official the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places, (2) designating the election day for staff training and development, or (3) closing the schools to students and nonclassified employees.

This bill would require that elections officials requesting the use of school buildings submit requests sufficiently far in advance to permit the governing board to determine whether or not to keep affected

schools in session before school year calendars are prepared and distributed to parents.

~~Because this bill requires governing boards of public schools to follow certain procedures in making schools available for use as polling places, it results in a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that no reimbursement shall be made from the State Mandates Claims Fund for costs mandated by the state pursuant to this act, but would recognize that local agencies and school districts may pursue any available remedies to seek reimbursement for these costs.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12283 of the Elections Code is amended
2 to read:

3 12283. (a) The governing body having jurisdiction over
4 school buildings or other public buildings may authorize the use
5 of its buildings for polling places on any election day, and may also
6 authorize the use of its buildings, without cost, for the storage of
7 voting machines and other vote-tabulating devices. However, if a
8 city or county elections official specifically requests the use of a
9 school building for polling places on an election day, the
10 governing body having jurisdiction over the particular school
11 building shall allow its use for the purpose requested. When
12 allowing use of a school building for polling places, the governing
13 body ~~shall do one~~ *may, but is not required to, do any* of the
14 following:

15 (1) Continue school in session, provided that the governing
16 body shall identify to the elections official making the request the
17 specific areas of the school buildings not occupied by school
18 activities that will be allowed for use as polling places.



1 (2) Designate the day for staff training and development.

2 (3) Close the school to students and nonclassified employees.

3 Classified employees are those so defined by Section 41401 of the
4 Education Code.

5 (b) An elections official making a request for use of a school
6 building pursuant to subdivision (a) shall include in his or her
7 request a list of the schools from which the use of a building for
8 polling places is needed. Requests must be made within sufficient
9 time in advance of the school year for the governing body to
10 determine, on a school-by-school or districtwide basis, whether to
11 keep the affected schools in session, designate the schoolday for
12 staff training and development, or close the school to students and
13 nonclassified employees before school calendars are printed and
14 distributed to parents.

15 (c) Once a governing body has approved the use of a school
16 building as a polling place, the governing body shall instruct the
17 school administrator to provide the elections official a site with an
18 adequate amount of space that will allow the precinct board to
19 perform its duties in a manner that will not impede, interfere, or
20 interrupt the normal process of voting and to make a telephone line
21 for Internet access available for use by local elections officials, if
22 requested by those officials.

23 (d) The school administrator shall also make a reasonable
24 effort to ensure that the site is accessible to the handicapped.

25 ~~SEC. 2. No reimbursement shall be made from the State~~
26 ~~Mandates Claims Fund pursuant to Part 7 (commencing with~~
27 ~~Section 17500) of Division 4 of Title 2 of the Government Code~~
28 ~~for costs mandated by the state pursuant to this act. It is recognized,~~
29 ~~however, that a local agency or school district may pursue any~~
30 ~~remedies to obtain reimbursement available to it under Part 7~~
31 ~~(commencing with Section 17500) and any other provisions of~~
32 ~~law.~~